

TOWNSHIP OF WILBER CEMETERY ORDINANCE

STATE OF MICHIGAN COUNTY OF IOSCO TOWNSHIP OF WILBER

Ordinance Number: 07-01

Adopted: January 2, 2007

Effective: February 1, 2007

CEMETERY ORDINANCE

An ordinance to protect the public health, safety and general welfare by establishing regulations relating to the operation, control, and management of the cemetery owned by the Township of Wilber, Iosco County, Michigan; to provide penalties for the violation of said ordinance, and to repeal all ordinances or parts of ordinances in conflict therewith.

THE TOWNSHIP OF WILBER, COUNTY OF IOSCO, MICHIGAN ORDAINS:

Section 1: Title

This ordinance shall be known and cited as the Wilber Township Cemetery Ordinance.

Section 2: Definitions of cemetery plots, lots and burial spaces—applies to all cemetery lots or burial spaces acquired after the adoption of this ordinance

A cemetery plot shall consist of burial spaces sufficient to accommodate from one to eight burial spaces, depending on the section of the cemetery in which the plot is located.

A single burial space shall consist of a land area four (4) feet wide and ten (10) feet in length.

Burial means the disposition of human remains, traditionally below ground.

Grave means a space of land in the cemetery used or intended to be used for the burial of human remains.

Lot means a grave, crypt, niche or lot.

Owner means the person or persons:

- (1) to whom the township has conveyed a burial right or burial rights; or
- (2) who have acquired such burial right or burial rights by transfer in accordance with these rules and regulations; or
- (3) who hold such burial right or burial rights by inheritance.

Section 3: Acquisition of lots or burial spaces

All transactions shall be made on a form approved by the township board, which grants a right of burial only and does not convey any other title to said lot or burial space. Such form shall be executed by the township clerk.

Burial rights may only be transferred to those persons designated as heirs of the transferer, or co-owners of said burial spaces, and may be effected only by endorsement of an assignment of the original deed form issued by the township clerk, approved by said clerk, and entered upon the official records of said clerk. Upon such valid assignment, approval and recording, said clerk shall issue a new deed to the assignee and shall cancel and terminate upon such records, the original deed thus assigned. Cemetery lots and burial spaces that remain unused for a period of eighty (80) years *may* revert to the township if certain conditions apply, as stated in Section 5 of this ordinance.

Section 4: Purchase price and transfer fees for burial rights

Burial rights for each burial space shall cost the sum of one-hundred dollars (\$100.00) for residents/taxpayers of Wilber Township, or three-hundred dollars (\$300.00) for non-residents, or an amount as subsequently set hereafter, by township board resolution, based upon motion made, duly seconded, and passed by a majority of said township board.

Any transfer of one or more burial spaces from an original purchaser of to a qualified assignee shall cost fifty dollars (\$50.00), or an amount as subsequently set hereafter, by township board resolution, based upon motion made, duly seconded, and passed by a majority of said township board. The foregoing charges shall be pre-paid to the township treasurer and shall be deposited in the cemetery fund.

The township board, by resolution, may periodically alter the foregoing fees to accommodate increased costs and needed reserve funds for cemetery maintenance and acquisition. The annual budgeting process may be used for such reviews and resolutions. This review shall be in accordance with the amounts of monies and how they are to be established, as set forth above, for the respective burial spaces and/or their assignment.

Section 5: Forfeiture of vacant cemetery lots or burial spaces

